

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Joseph M. PENNINGER
Michael A. CRACKOWER

Serial No.: 10/518,599

Filed: May 31, 2005

For: ACE2 ACTIVATION FOR TREATMENT
OF HEART, LUNG AND KIDNEY
DISEASE AND HYPERTENSION

Group Art Unit: 1652

Examiner: SAIDHA, TEKCHAND

Att. Dkt. No.: SONN:064US

Confirmation No.: 8087

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:

March 30, 2010

Date


Travis M. Wohlers

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Supplemental Information Disclosure Statement was previously submitted on January 26, 2010. The filing was timely and complied with the provisions of 37 C.F.R. §§ 1.97 and 1.98 and MPEP § 609 regarding a post-allowance submission of an Information Disclosure Statement. However, in a communication dated March 22, 2010, the examiner stated the filing did not comply with the provisions of 37 C.F.R. §§ 1.97 and 1.98 and MPEP § 609. Although applicants believe the examiner's statement was erroneous, applicants are submitting a Request for Continued Examination, along with a re-submission of the Supplemental Information Disclosure Statement, to ensure the references are considered.

This Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, after the filing of an Request for Continued Examination, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/SONN:064US.

Please note the Crackower *et al.* and Donoghue *et al.* references cited in the attached Japanese Office Action were previously cited in this case in the references cited by the examiner included with the Office Action dated March 8, 2006 and in the Information Disclosure

Statement submitted to the Patent and Trademark Office dated August 11, 2005 respectively, and therefore, copies of these two references are not included with the submission of this Supplemental Information Disclosure Statement.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Date: March 30, 2010